

# TOWN OF COTTESLOE



## WORKS AND CORPORATE SERVICES COMMITTEE

# MINUTES

MAYOR'S PARLOUR, COTTESLOE CIVIC CENTRE  
109 BROOME STREET, COTTESLOE  
7.00 PM, TUESDAY, 25 OCTOBER 2011

**CARL ASKEW**  
Chief Executive Officer

27 October 2011



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**WORKS AND CORPORATE SERVICES COMMITTEE**
**TABLE OF CONTENTS**

<b>ITEM</b>	<b>SUBJECT</b>	<b>PAGE NO</b>
1	DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS.....	1
2	APPOINTMENT OF PRESIDING MEMBER AND DEPUTY PRESIDING MEMBER .....	1
3	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED) .....	2
4	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....	2
5	PUBLIC QUESTION TIME .....	2
6	PUBLIC STATEMENT TIME.....	3
7	APPLICATIONS FOR LEAVE OF ABSENCE .....	3
8	CONFIRMATION OF MINUTES OF PREVIOUS MEETING .....	3
9	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION .....	3
10	PETITIONS/DEPUTATIONS/PRESENTATIONS.....	3
11	REPORTS OF COMMITTEES AND OFFICERS.....	4
11.1	ADMINISTRATION.....	4
11.1.1	GENERAL ELECTORS MEETING & ACCEPTANCE OF 2010/2011 ANNUAL REPORT	4
11.1.2	JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION – DOGS LOCAL LAW 2011	8
11.1.3	REVIEW OF POLICY - AQUISITION OF ARTWORKS	12
11.1.4	BEACH EVENT REQUEST FROM THEME IT PRODUCTIONS	14
11.1.5	HULLABALOO COTTESLOE 2011	16
11.2	ENGINEERING .....	19

---

11.2.1	PARKING ON GRANT STREET MEDIAN STRIP OCTOBER 2011	19
11.2.2	SEAVIEW GOLF CLUB MANAGEMENT PLAN	25
<b>11.3</b>	<b>FINANCE.....</b>	<b>31</b>
11.3.1	REVIEW OF PURCHASING POLICY	31
11.3.2	STATUTORY FINANCIAL REPORTS FOR THE PERIOD 1 JULY 2011 TO 30 SEPTEMBER 2011	33
11.3.3	LIST OF ACCOUNTS PAID FOR THE MONTH OF SEPTEMBER 2011	35
11.3.4	SCHEDULE OF INVESTMENTS AND LOANS AS AT 30 SEPTEMBER 2011	37
11.3.5	PROPERTY AND SUNDRY DEBTORS REPORT AS AT 30 SEPTEMBER 2011	39
11.3.6	WORKS AND CORPORATE SERVICES COMMITTEE – COUNCILLOR MEMBERSHIP	41
<b>12</b>	<b>ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....</b>	<b>42</b>
<b>13</b>	<b>NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY ELECTED MEMBERS/OFFICERS BY DECISION OF MEETING .....</b>	<b>42</b>
<b>13.1</b>	<b>EAST WARD ELECTION.....</b>	<b>42</b>
<b>13.2</b>	<b>WORKS AND CORPORATE SERVICES COMMITTEE – COUNCILLOR MEMBERSHIP .....</b>	<b>42</b>
<b>14</b>	<b>MEETING CLOSURE.....</b>	<b>42</b>

**1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS**

The Chief Executive Officer announced the meeting opened at 7:05 PM.

The CEO advised the Committee that Cr Walsh had advised him of his intention to withdraw from being a member of the Works and Corporate Services Committee, to take effect from the October 2011 meeting. The CEO requested that the matter of membership be considered by the Committee.

**2 APPOINTMENT OF PRESIDING MEMBER AND DEPUTY PRESIDING MEMBER**

Section 5.12 of the Local Government Act (1995) provides that the members of a committee are to elect from amongst themselves a Presiding Member and Deputy Presiding member.

The election is to be conducted by the CEO and nominations for the office are to be given to the CEO in writing.

If a Councillor is nominated by another elected member, the CEO cannot accept the nomination unless the nominee has advised the CEO orally or in writing that he or she is willing to be nominated for the office.

If there is more than one nomination, elected members are to vote on the matter by secret ballot as if they were electors voting at a first past post voting election. The votes cast are to be counted and the successful candidate determined, as if those votes were votes cast at an election – provided there is not an equality of votes. If there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and not more than 7 days later, a special meeting of the Council is to be held. Any nomination for the office may be withdrawn, and further nominations may be made, before or when the special meeting is held.

Once nominations have been received and, if required a ballot is taken, the Presiding Member is then declared and the presiding member assumes responsibility for the meeting, including the nomination and election of the Deputy Presiding Member using the same approach as described above.

The CEO called for nominations for the Presiding Member of the Works and Corporate Services Committee. Cr Rowell nominated himself. There being only one nomination, Cr Rowell was duly elected to the position of Presiding Member for the Works and Corporate Services Committee.

**COMMITTEE RECOMMENDATION**

**Moved Cr Boland, seconded Cr Strzina**

**That Council appoint Cr Rowell as the Presiding Member of the Works and Corporate Services Committee.**

**Carried 3/0**

Cr Rowell called for nominations for the position of Deputy Presiding Member. Cr Boland nominated himself. There being no further nominations, Cr Boland was duly elected to the position of Deputy Presiding Member of the Works and Corporate Services Committee.

### **COMMITTEE RECOMMENDATION**

**Moved Cr Rowell, seconded Cr Strzina**

**That Council appoint Cr Boland as the Deputy Presiding Member of the Works and Corporate Services Committee.**

**Carried 3/0**

### **3 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)**

#### **Present**

Cr Rob Rowell  
Cr Victor Strzina  
Cr Greg Boland

#### **Officers Present**

Carl Askew	Chief Executive Officer
Mat Humfrey	Manager Corporate & Community Services
Geoff Trigg	Manager Engineering Services
Christy Watterson	Administration & Governance Officer

#### **Apologies**

Cr Jack Walsh

#### **Officer Apologies**

Nil

#### **Leave of Absence (previously approved)**

Mayor Kevin Morgan

### **4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

### **5 PUBLIC QUESTION TIME**

Ms Kim Maple - 87 Grant Street, Cottesloe - Item 11.2.1 Parking on Grant Street Median Strip. Ms Maple addressed Council and asked the question "If parking is restricted in Grant Street, what will happen with side streets?". Ms Maple advised that she lives on the corner of Grant Street and Birkbeck Ave, Cottesloe. Ms Maple spoke about an increase in street parking on Birkbeck Ave, which in her opinion, is the result of parking restrictions on Grant Street.

Ms Maple stated that parking on side streets was worsening over time, as the three hour parking restrictions have been implemented. Ms Maple advised that she has been experiencing cars parking on her verge, and has heard complaints from resident regarding the noise associated with taxis travelling down the streets late at night as people collect their parked vehicles. Ms Maple stated that in her opinion, using the median strip for a car park is not a good solution to the problem at hand, as it encourages commuters from other suburbs to park and use the median. Ms Maple acknowledged that commuters should be encouraged to use public transport, but that the parking situation needed to be resolved.

**6 PUBLIC STATEMENT TIME**

Nil

**7 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**8 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**Moved Cr Strzina, seconded Cr Boland**

[Minutes September 20 2011 Works and Corporate Services Committee.doc](#)

**The Minutes of the Ordinary meeting of the Works and Corporate Services Committee, held on 20 September 2011 be confirmed.**

**Carried 3/0**

**9 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Nil

**10 PETITIONS/DEPUTATIONS/PRESENTATIONS**

Nil

For the benefit of the members of the public present, the chairman determined to consider items 11.2.1 Parking on Grant Street Median Strip first, then returned to the published order of the agenda.

## 11 REPORTS OF COMMITTEES AND OFFICERS

### 11.1 ADMINISTRATION

#### 11.1.1 GENERAL ELECTORS MEETING & ACCEPTANCE OF 2010/2011 ANNUAL REPORT

**File No:** Sub/19  
**Attachments:** [2010/2011 Annual Report](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Carl Askew  
Chief Executive Officer  
**Proposed Meeting Date:** 25 October 2011  
**Author Disclosure of Interest** Nil

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#### SUMMARY

A recommendation is made to accept the Annual Report for the 2010/11 financial year and to hold the General Electors Meeting on Wednesday, 30 November 2011.

#### BACKGROUND

The Annual Report (see attached) is made up of a number of reports including those of the Mayor and CEO, an overview of the plan for the future, the annual financial statements, the auditor's report and other statutory and prescribed reports and information. The last General Meeting of Electors was held on Wednesday, 8 December 2010. Subject to Council's acceptance of the Annual Report, the proposed date for the electors meeting is Wednesday, 30 November 2011.

#### STRATEGIC IMPLICATIONS

Nil

#### POLICY IMPLICATIONS

Nil

#### STATUTORY ENVIRONMENT

The relevant sections of the *Local Government Act 1995* read as follows:

**5.27. Electors' general meetings**

- (1) *A general meeting of the electors of a district is to be held once every financial year.*
  - (2) *A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.*
  - (3) *The matters to be discussed at general electors' meetings are to be those prescribed.*
-



**5.29. Convening electors' meetings**

- (1) *The CEO is to convene an electors' meeting by giving -*
- (a) *at least 14 days' local public notice; and*
  - (b) *each council member at least 14 days' notice, of the date, time, place and purpose of the meeting.*
- (2) *The local public notice referred to in subsection (1)(a) is to be treated as having commenced at the time of publication of the notice under section 1.7(1)(a) and is to continue by way of exhibition under section 1.7(1)(b) and (c) until the meeting has been held.*

**5.53. Annual reports**

- (1) *The local government is to prepare an annual report for each financial year.*
- (2) *The annual report is to contain -*
- (a) *a report from the mayor or president;*
  - (b) *a report from the CEO;*
  - [(c), (d) deleted]
  - (e) *an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year;*
  - (f) *the financial report for the financial year;*
  - (g) *such information as may be prescribed in relation to the payments made to employees;*
  - (h) *the auditor's report for the financial year;*
  - (ha) *a matter on which a report must be made under section 29(2) of the Disability Services Act 1993;*
  - (hb) *details of entries made under section 5.121 during the financial year in the register of complaints, including -*
    - (i) *the number of complaints recorded in the register of complaints;*
    - (ii) *how the recorded complaints were dealt with; and*
    - (iii) *any other details that the regulations may require; and*
  - (i) *such other information as may be prescribed.*

**5.54. Acceptance of annual reports**

- (1) *Subject to subsection (2), the annual report for a financial year is to be accepted\* by the local government no later than 31 December after that financial year.*  
*\* Absolute majority required.*
- (2) *If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.*

**5.55. Notice of annual reports**

*The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.*

Regulations 15 and 19B of the *Local Government (Administration) Regulations, 1996* require that:

**15. Matters for discussion at general electors' meetings s. 5.27(3)**

*For the purposes of section 5.27(3), the matters to be discussed at a general electors' meeting are, firstly, the contents of the annual report for the previous financial year and then any other general business.*

**19B. Annual report to contain information on payments to employees s.5.53(2)(g)**

*For the purposes of section 5.53(2)(g) the annual report of a local government for a financial year is to contain the following information -*

- (a) the number of employees of the local government entitled to an annual salary of \$100 000 or more;*
- (b) the number of those employees with an annual salary entitlement that falls within each band of \$10 000 over \$100 000.*

**FINANCIAL IMPLICATIONS**

The cost to produce, print and distribute the Annual Report and report summary is approximately \$8,000 and is accommodated within the 2011/12 Budget.

**SUSTAINABILITY IMPLICATIONS**

The Annual Report summary is printed on recycled paper.

**CONSULTATION**

Nil

**STAFF COMMENT**

The proposed date for the Annual General meeting of Electors of 30 November 2011 is the most suitable in terms of ensuring that the Annual Report summary (the small, coloured version of the Annual Report) is distributed to all households in advance of the meeting.

**VOTING**

Absolute Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Strzina, seconded Cr Boland**

**THAT Council:**

- 1. Accept the Annual Report for the 2010/11 Financial Year, and**
- 2. Call for the Annual General Meeting of Electors to be held in the War Memorial Town Hall, Cottesloe Civic Centre, on Wednesday, 30 November 2011 commencing at 7.00pm.**

**Carried 3/0**

**11.1.2 JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION – DOGS LOCAL LAW 2011**

**File No:** CLL/9  
**Attachments:** [Letter from Joint Standing Committee September 2011](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Mat Humfrey  
Manager Corporate Services  
**Proposed Meeting Date:** 25 October 2011  
**Author Disclosure of Interest** Nil

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**SUMMARY**

Council is being asked to consider correspondence from the Joint Standing Committee on Delegated Legislation (JSCDL) requesting undertakings in regard to the Town's Dogs Local Law. The undertakings being requested include that Council delete 3 clauses of the Local Law, the addition of a definition and several minor drafting changes.

**BACKGROUND**

Following a lengthy process, including extensive consultation, Council resolved to adopt its Dogs Local Law 2011 at its meeting in June 2011. The Local Law was then advertised in the Government Gazette and sent to the JSCDL for their consideration.

Following a recommendation from the JSCDL's officers, a notice of Motion to Disallow was listed on the Parliamentary Business Papers. While this doesn't necessarily indicate the JSCDL's intentions, it does leave the possibility of disallowance open to the committee.

Correspondence from the JSCDL indicates that if Council agrees to provide several undertakings, then the motion to disallow will be withdrawn and the Dogs Local Law 2011 can proceed.

**STRATEGIC IMPLICATIONS**

None of the undertakings requested will impact on the strategic provisions of the Dogs Local Law 2011.

**POLICY IMPLICATIONS**

None of the undertakings requested materially effect any of the operative parts of the Dogs Local Law 2011 – as such there are no perceived policy implications.

**STATUTORY ENVIRONMENT**

The Local Government Act 1995 and the Dog Act 1976 have provisions for the making of Local Laws.

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The Interpretations Act 1984 has the rules that govern the Joint Standing Committee on Delegated Legislation and the approval or disallowance of Delegated Legislation by the Governor.

### **FINANCIAL IMPLICATIONS**

If Council resolves to give the undertakings as recommended, within the next 6 months, a further review of the Dogs Local Law 2011 will need to be undertaken. This will be a specific review, only looking at the changes requested by the JSCDL. However, there will still be costs associated with advertising and the Administration Officer's time. The cost is not expected to exceed \$3,000 – which can be funded from existing budgeted expenditure.

### **SUSTAINABILITY IMPLICATIONS**

Nil

### **CONSULTATION**

Nil

### **STAFF COMMENT**

Overall, the undertakings requested by the JSCDL will not materially affect the day to day operations of the Dogs Local Law 2011. The creation of the dog beaches, dog exercise areas and general provisions of the Dogs Local Law are not affected at all.

Council has been asked to provide the following undertakings;

#### **1. To include a definition of a children's playground in Section 1.4 – Definitions.**

The term "Children's Playground" is used in 4.1(1)(f) and 4.2(2)(a) of the Dogs Local Law – however it is not defined in clause 1.4. Previous versions of the Dogs Local Law and the Model Local Law also use the term Children's Playground and neither specifically defines the term in the definitions section.

While Council does not have to decide on the definition at this meeting, the JSCDL have requested an undertaking to amend the Local Law to include a definition. Given that it should be included in the Model Local Law as well, it is a matter that WALGA may wish to provide assistance on, as the Town will not be the only Local Government affected.

#### **2. Delete clauses 4.2(3) to 4.2(5) of the Local Law and, if the Town of Cottesloe wishes to, refer to the relevant offence provisions in the Dog Act 1976 in the Local Law.**

While at first this may appear to affect the operation of the Local Law, these clauses essentially repeat clauses of the Dog Act 1976. There are procedures for referencing the relevant sections of an Act, however, the Dog Act 1976 also provides means for a Ranger (or other authorised persons) to infringe people directly under the Dog Act 1976 itself.

Given that the requirements of these clauses are contained within the Dog Act 1976 their removal will not have a material effect on the operation of the Dogs Local Law.

**3. Delete the line in Schedule 1 referring to clause 4.2(5)**

The line referred to relates to an offence under clause 4.2(5) – which Council has been asked to provide an undertaking to delete. If the clause which contains the offence is removed, the modified penalty should also be deleted.

**4. Amend all drafting errors**

There are two drafting issues – being;

- a) The words “Chief Executive Officer” are used in the operative sections of the Local Law, while the term “CEO” is defined in Clause 1.4. The JSCDL has requested that “CEO” be used throughout the document; and
- b) A semi-colon should be used in place of a comma at the end of clauses 4.1(1)(c) and (d).

**5. General Undertakings**

After the specific undertakings requested above there are a series of general undertakings. These are to the affect that Council will use its best endeavours to remedy these issues, and not enforce the relevant clauses of the Local Law in the spirit in which the undertakings are given.

Given that they have no affect on the operation or intent of the Local Law, no reason can be seen not give this undertaking.

If Council were to resolve not to give the undertakings outlined above, then the JSCDL would most likely disallow the Dogs Local Law 2011. If the Dogs Local Law 2011 were to be disallowed, the previous Local Law (Dogs Local Law 2002) would no longer be repealed and would resume taking effect. Given that it is more than 8 years old, Council would be required to review the Local Law immediately, effectively starting the whole process over again.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

Moved Cr Boland, seconded Cr Strzina

**THAT Council:**

1. **Give an undertaking to the Joint Standing Committee on Delegated Legislation that a further review of the Dogs Local Law 2011 will be undertaken in a period not more than 6 months from this meeting, that seeks to;**
  - a. **insert a definition of the term “Children’s Playground” in Clause 1.4 and refer clauses 4.1(1)(f) and 4.2(2)(a) to this definition**

- b. delete clauses 4.2(3) to 4.2(5)
  - c. deletes the line in Schedule 1 referring to clause 4.2(5)
  - d. replace the words Chief Executive Officer with CEO in all clauses (except 1.4)
  - e. insert a semi-colon at the end of clauses 4.1(1)(c) and (d).
2. Give a further undertaking that the clauses referred to in point 1 will not be enforced in a manner contrary to the undertakings given.
  3. Authorise the Chief Executive Officer to write to the Joint Standing Committee on Delegated Legislation informing them of the undertakings given.
  4. Advertise in all places where the Dogs Local Law 2011 is currently available, of the undertakings that have been given.

Carried 3/0

**11.1.3 REVIEW OF POLICY - AQUISITION OF ARTWORKS**

**File No:** POL/51  
**Attachments:** [DRAFT Policy Acquisition of Artworks October 2011](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Mat Humfrey  
Manager Corporate Services  
**Proposed Meeting Date:** 25 October 2011  
**Author Disclosure of Interest** Nil

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**SUMMARY**

Council is being asked to consider a review of the Town's Acquisition of Artworks Policy.

**BACKGROUND**

The Town has a comprehensive Policy Manual that guides Staff through the day to day decisions required in the administration of the Town. Policies outline Council's expectations and provide the basis on which certain decisions are delegated to staff.

The Acquisition of Artworks Policy sets out a procedure for the acquisition of artworks as well as recording artworks that the Town owns.

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

If adopted, the reviewed Acquisition of Artwork Policy will replace the current policy.

**STATUTORY ENVIRONMENT**

The Local Government Act 1995 and the associated regulations have provisions for the acquisition of goods.

**FINANCIAL IMPLICATIONS**

Nil

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

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**STAFF COMMENT**

Following the review, there is only one minor change to this policy. This change would require that the artworks with a value, will also be recorded in the Town's asset register.

The Acquisition of Artworks Policy was adopted for the first time in 2005 and is currently due for review.

The attached copy of the policy has tracked changes for the benefit of Councillors, these will be removed before it is published on the website.

**VOTING**

Simple Majority

**COMMITTEE COMMENT**

Cr Boland questioned whether the policy needs to include specific requirements for the Town's involvement in Sculpture by the Sea. Cr Boland suggested that the policy could include a requirement that the Town purchases one item of artwork from each Sculpture by the Sea exhibition held in Cottesloe.

The CEO advised that the Town already has a separate 3 Year Agreement with Sculpture by the Sea that confirms the Town will purchase an artwork from each year's exhibition and will provide support to the event.

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Boland, seconded Cr Strzina**

**THAT Council adopt the reviewed Acquisition of Artworks Policy and set the date for next review as November 2015.**

**Carried 3/0**

**11.1.4 BEACH EVENT REQUEST FROM THEME IT PRODUCTIONS**

**File No:** SUB/550-02  
**Attachments:** [ThemelT Application](#)  
[ThemelT Letter](#)  
[Themelt Risk Assessment](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Mat Humfrey  
Manager Corporate Services  
**Proposed Meeting Date:** 25 October 2011  
**Author Disclosure of Interest** Nil

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**SUMMARY**

Council is being asked for permission to host an “Aerial Display” at Cottesloe Beach on the evening of the 2<sup>nd</sup> December 2011. The display will require the cordoning off of an area of beach front (10 metres by 8 metres) between 5.30pm and 9.30pm. The event forms part of a larger event being hosted at Indiana’s.

**BACKGROUND**

ThemelT productions have applied to have an aerial display for guests at a function being hosted at Indiana’s. They will erect an oversize swing – which is 9 metres by 7 metres and approximately 5.5 metres high. This apparatus will be used by two aerialists, who will perform for guests who will be seated within the building.

The applicant has stated that the apparatus will be setup after 5.30pm and will be removed at 9.30pm. Further at all times during setup, use and pack down, a security guard will be present to ensure no members of the public enter the cordoned off area.

Under the Town’s Beaches and Beach Reserves Local Law, any event or activity that requires exclusive use of any portion of the beach requires Council’s approval.

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY ENVIRONMENT**

Beaches and Beach Reserve Local Law 1999 – Division 3, outlines the requirements for individuals or organisations to seek permission for hosting events or activities on the Beach.

**FINANCIAL IMPLICATIONS**

Nil

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**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**STAFF COMMENT**

The area that will be required by the aerialists is relatively small and will have a minimal impact on other beach users. The applicant has advised that there will be no amplified music outside of Indiana's, and spectators will be inside Indiana's for the duration of the event.

If Council were to approve the event, there should be several conditions for its approval which have been included in the Officer's Recommendation. These conditions are intended to inform the applicant of their obligations and to ensure the interests of the Town are protected.

If Council were not to approve the event, the applicant will be notified in writing of the outcome.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

Moved Cr Boland, seconded Cr Strzina

**THAT Council approve the application from ThemelT productions for an aerial display on Friday the 2<sup>nd</sup> November, subject to the following conditions;**

- 1) No equipment shall be in place before 5.30pm and all equipment be removed by 9.30pm**
- 2) No guests are to view the performance outside of Indiana's (members of the general public excepted)**
- 3) No equipment shall protrude an area of 10 metres by 8 metres as designated and agreed to by an authorised officer**
- 4) All equipment is to be roped off at all times and at least one qualified security person shall remain at the equipment at all times.**
- 5) Only one vehicle will be permitted on the beach, and only for the transportation of the equipment.**
- 6) The applicant is to provide evidence of adequate public liability insurance for the parts of their event which will be on the beach**

Carried 3/0

**11.1.5 HULLABALOO COTTESLOE 2011**

**File No:** SUB/1214  
**Attachments:** [Hullabaloo Festival Risk Management 2011](#)  
[Hullabaloo Traffic Management Plan](#)  
[Hullabaloo Events Schedule](#)  
[Site Map Napoleon Street 2011](#)  
**Responsible Officer:** Mat Humfrey  
Manager Corporate Services  
**Author:** Meagan Hodgson  
Community Development Officer  
**Proposed Meeting Date:** 25 October 2011  
**Author Disclosure of Interest** Nil

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**SUMMARY**

Hullabaloo is a festival organised by Procott and held in the Cottesloe Village. This years event is scheduled for Saturday 27<sup>th</sup> November 2011, with a lead up concert on Friday 26<sup>th</sup> November from 6.00pm to 10.30pm.

The slogan for this year is “Relax you’re in Cottesloe” and with stands, activities, bands, fashion parade, a lasagna competition and much more to see and do, a fun and relaxing street festival is created.

The event is being organised by Procott, the local business association, and the Zaccaria Group. Zaccaria Group organise many large events including popular concerts at Sandford Winery in the Swan Valley and other large events in Margaret River. Council is being asked to provide its approval for this event.

**BACKGROUND**

The Festival is a celebration of the best Cottesloe has to offer, promoting the lifestyle and opportunities that the Cottesloe community can bring. This year sees an extended festival to include a Friday launch.

Napoleon Street will be closed to traffic on Stirling Highway and Brixton Street. The road will close at 2.00pm on Friday and reopen at 6.00pm Saturday. In previous years Station Street was also closed however this has been changed for 2011 due to parking limitations. Procott have engaged Zaccaria who are a licensed traffic management company to write and implement a traffic management plan. Procott have also been advised of the requirement to have authority from Main Roads WA to close a road.

A Marquee structure will be placed north to south between Elba and a vacant shop. This will be the viewing area for the bands Sneaky Weazel and Blue Shaddy. The stands will run East to West down Napoleon Street. The stands have been placed in a single row taking up a smaller amount of space than last year (as per the attached map). Suitable Certificates of Currency for Public Liability Insurance are required to be presented before the event.

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**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY ENVIRONMENT**

Main Roads WA are the statutory authority that can authorise road closures.

**FINANCIAL IMPLICATIONS**

The main cost to the Town in approving this event will be in officer's time, particularly the Community Development Officer and Rangers, who will be required to assist at the event. These costs can be met with existing budgets.

Council also contributes over \$80,000 annually to PROCOTT to assist with activities that promote the Town Centre. This money is raised through the application of a differential rate.

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

PROCOTT as the organisers of the event have consulted with all the businesses who will be directly and indirectly effected by the running of this event.

**STAFF COMMENT**

Paul Foster (Procott President since 2009) and the Procott Board previously agreed that a Festival would optimise opportunities to bring both the retailers, service providers and community groups in the Cottesloe Business district together in a Village style atmosphere that would highlight the best that Cottesloe has to offer.

The event promotes Cottesloe to the wider community as having a relaxed village atmosphere, and an alternative to Subiaco and Claremont. Through this event the slogan, "Relax, you're in Cottesloe" was introduced and has since been included in advertising, correspondence and promotional material.

Last years Hullabaloo event was hugely successful, with more than 5,000 people attending the one day Festival that spread over both Napoleon and Station Streets.

A survey was distributed by Procott to all of its members at the conclusion of the Festivals held in 2009 and 2010. The main complaint was that it was too long a day and it was too hot for the vendors in the street. Overall it was found that 90% of the retailers were in support of the Festival and some reported higher than average December retailing figures in 2009 and 2010, as such the aim was to promote the Festival as an introduction to the Christmas trading season with prizes awarded for the best new business and best business promoted on the day last year.

Some negative feedback was received regarding the lack of parking. This occurred even though the event was promoted as an opportunity to ride by train or cycle in all advertisements. To counteract this, only Napoleon Street will be closed this year to allow for parking in Station Street and existing car parks.

Previously Hullabaloo has been a daytime festival. In 2011 the entertainment will be starting at 6pm on Friday 25<sup>th</sup> November on a stage in Napoleon Street and the entertainment will continue on stage until 10.30pm. Procott will be promoting alfresco dining and music on this night, with the following day, Saturday 26<sup>th</sup> November, being the community day with all Procott members having the opportunity to promote themselves all day until 3pm when the Festival closes.

Due to the positive feedback received regarding previous years of this event, the thorough risk assessment and event management plan, the officer is recommending the event be allowed to proceed with conditions. The conditions are intended to ensure that Procott are aware of their obligations and to protect the interests of the Town.

## **VOTING**

Simple Majority

## **OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Boland, seconded Cr Strzina**

**THAT Council approve the application to hold the Hullabaloo Cottesloe 2011 Event on Napoleon Street on Friday 26<sup>th</sup> of November from 6pm to 10.30pm and Saturday 27<sup>th</sup> November from 9:00am to 3:15 pm with the following conditions:**

- 1) Adequate arrangements are made for rubbish collection and removal, including the provision for recycling.**
- 2) Compliance with the *Environmental Protection (Noise) Regulations 1997*.**
- 3) Compliance with the requirements for sanitary facilities, access and egress, first aid and emergency response as per the *Health (Public Buildings) Regulations 1992*.**
- 4) Class the event as a community event and no fees in relation to the use of Napoleon Street are charged.**
- 5) Provision of a certificate of currency to certify that organizers have adequate public liability insurance for all components of the event.**
- 6) Appropriate road closure permits are granted by Main Roads WA.**
- 7) The Traffic Management Plan and provider are approved by Main Roads WA, and the plan provided to Cottesloe Police.**

**Carried 3/0**

## 11.2 ENGINEERING

### 11.2.1 PARKING ON GRANT STREET MEDIAN STRIP OCTOBER 2011

**File No:** SUB/457  
[Responses \(confidential\)](#)

**Attachments:** [Petition Regarding Grant Street Median Strip](#)  
[Previous Council Resolutions on Grant Street Parking](#)  
[Submission Summary](#)

**Responsible Officer:** Carl Askew  
Chief Executive Officer

**Author:** Mat Humfrey  
Manager Corporate Services

**Proposed Meeting Date:** 25 October 2011

**Author Disclosure of Interest** Nil

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#### SUMMARY

At its September 2011 meeting Council resolved to reconsider the issue of parking on the Grant Street median strip – subject to a report from Council.

#### BACKGROUND

The issue of parking on Grant Street has been considered by Council on several occasions in the past year. The issue first arose after complaints about the dust created by train commuters parking on the median strip were received. Since this time there have been several resolutions made by Council. The current resolution states:

*That part 2 of the August 2011 resolution be amended to read;*

*That Council;*

*2) Install No Parking signs along the Grant Street median strip to include “permit parking only” with effect from 1 January 2012.*

*That a new part 5 be added to the August resolution to read;*

*That Council;*

*5) “receive further report from administration at its October meeting on viable alternatives”.*

**THE AMENDED SUBSTANTIVE MOTION WAS PUT**

*Carried 8/1*

The August resolution, with the amendments above would now read:

THAT Council:

1. Rescind the May 2011 resolution 11.1.4 Grant Street Median Strip item (2) *Initiate a 3 hour parking restriction to apply to each side of Grant Street median strip between Curtin Ave and Birbeck Ave from 8.00am to 6.00pm Monday to Saturday.*
2. Install No Parking signs along the Grant Street median strip to include "permit parking only" with effect from 1 January 2012.
3. Authorise the issuing of parking permits to affected Grant Street residents west of Mann Street, in accordance with the provisions of the Parking and Parking Facilities Local Law.
4. During September, consult with property owners and residents in Grant Street.
5. Receives a further report from administration at its October meeting on viable alternatives.

During October a fresh round of consultation has been undertaken. This round of consultation was very structured and focussed on a very narrow issue. This was intended to remove any ambiguity in interpreting the results.

#### **STRATEGIC IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

#### **STATUTORY ENVIRONMENT**

Parking and Parking Facilities Local 2009 – contains the mechanisms that allow Council to establish parking facilities and parking controls.

#### **FINANCIAL IMPLICATIONS**

Nil

#### **SUSTAINABILITY IMPLICATIONS**

This issue has arisen largely as a result of commuters parking on the Grant Street median strip in order to catch trains to and from work.

#### **CONSULTATION**

Following the September meeting, a new consultation process was put in place. This process concentrated on the area between Curtin Avenue and Marmion Street.

Given the submission of a petition at the September meeting (attached) and comments made at both the Committee and Council meetings, it was concluded that people west of Marmion Street and East of Curtin Avenue were not after any form of parking restriction on the median strip adjacent to their homes.

As such the area subject to consultation was narrowed to the area between Curtin Avenue and Marmion Street. A form was drawn up with three options being;



- 1) Grant Street median strip (between Curtin Avenue and Marmion Street) be a "No Parking" area, with residents issued parking permits
- 2) Grant Street median strip (between Curtin Avenue and Marmion Street) be a 3 hour parking zone, with residents issued permits
- 3) Grant Street median strip (between Curtin Avenue and Marmion Street) be an unrestricted parking area

The form along with a letter was delivered to each house on Grant Street (between Curtin Avenue and Marmion Street) and to absentee landholders on the rate role. A total of 48 letters were sent out.

Residents had the option of responding either by reply paid envelope or via email. The reply paid envelopes were used as a way of verifying the forms returned came from the letters sent out. If replies came from email, people were asked to provide an address to verify they were Grant Street residents/landholders.

Of the 48 letters sent out only 16 responses were received at the time of writing this report. Of the responses received, nearly 70% wanted some form of parking control in the area between Curtin Avenue and Marmion Street.

The responses received can be summarised as follows:

<b>Option 1</b>	44%
<b>Option 2</b>	25% (with another 12% saying that they would accept option 2 if option 1 wasn't available)
<b>Option 3</b>	31%

### STAFF COMMENT

The current resolution provides that in the absence of any other decision, on 1<sup>st</sup> January 2012 the Town will erect "No Parking" signs or equivalent on the Grant Street median strip between Mann Street and Marine Parade. While residents will be issued with permits, any vehicle parked on the median strip not showing a valid permit, could be issued with an infringement by the Town's Rangers.

At the September Works and Corporate Services Committee meeting, a petition was submitted by a Grant Street resident that indicated that residents west of Marmion Street did not want any form of parking restriction on the median strip adjacent to their properties. Analysis of the petition shows that in excess of 90% of households had someone willing to sign this petition. This is a very clear indication that people in this part of Grant Street do not want any form of parking restriction on that part of the Grant Street median strip.

The part of Grant Street between Mann Street and Curtin Avenue was also excluded from the latest round of consultation as it was shown previously that there was little support for any form of parking restriction.

Where there appears to be some contention is what to do on that part of the median strip between Curtin Avenue and Marmion Street, which is the part most affected by commuters. Council has received complaints about the commuter parking in this area

and there has been a report of a near miss involving pedestrians – with median strip parking being the cause.

The recommendation contains three parts, the first being a rescission of three previous resolutions on this matter (attached). The purpose of this part of the recommendation is to effectively clean the slate. It will also mean that in the event that no further agreement can be reached, there will be no marked parking restrictions on the Grant Street median strip. This is felt to be the simplest way to proceed as drafting amendments to previous resolutions can create confusion and increases the possibility of drafting errors.

The second part allows for the creation of unrestricted parking zones in the area of Grant Street, where resident feedback strongly suggests that parking restrictions are not favoured. These areas are between Marmion Street and Marine Parade and Mann Street and Curtin Avenue. In the western portion, Council has received a petition with over 90% of households requesting no parking restrictions on the median strip adjacent to their properties. In the eastern portion, the first round of consultation, together with presentations at the committee meeting suggest there is no support for parking restrictions.

The third part deals exclusively with the part of Grant Street between Curtin Avenue and Marmion Street. It is really this portion of the street where this issue has arisen from, as this is where the highest concentration of commuter parking occurs. It was this commuter parking that caused the initial complaints, originally from the dust that the parking was causing.

The recent consultation showed that nearly 70% of the 16 households who responded were in favour of some form of parking restriction. The largest section, 41% wanted “No Parking” signs, with residents issued with permits. This effectively creates a permit parking only zone.

The second largest section, at 34% wanted no parking restrictions at all. The reasons given for this vary from “people should be encouraged to commute using trains” to “I want my guests to be able to park on the median strip.”

The least popular option was that of a 3 hour parking zone with only 25% of households listing it as their preferred option. Another 12%, who had “No Parking” as their preferred option, stated that they were amenable to a 3 hour zone if Option 1 wasn’t available.

If Council resolves to implement a restricted parking zone of any sort on this portion of Grant Street, then it will also need to consider when the restriction applies. If the aim is to merely restrict commuter parking, then Council may want to consider only imposing parking restrictions between 8am and 6pm Monday to Friday. Council has also previously considered Saturday restrictions due to the popularity of trains for travelling to large events such as AFL matches, the Royal Show and so on.

The officer recommendation below is based on the most popular option in the feedback received – being option 1, the creation of a permit parking only zone. If Council wanted to adopt either of the other options, suggested amendments to the recommendation are;

(Option 2) If Council wanted to create a 3 hour parking zone, point 3 should be amended by deleting the words “permit parking only” and replacing them with “3 hour parking zone”. The remainder can remain as written.

(Option 3) If Council wanted to allow parking on the entirety of the Grant Street median strip, point 2 should be amended, deleting everything after the words “appropriate markings” and point 3 deleted in its entirety.

Lastly, there was some concern expressed at the September meetings about signs being erected on the part of the median strip where parking would be allowed. Point 2 of the recommendation has the words “designated by appropriate markings” as administration is investigating an option that allows for kerb marking to be used in place of signs. It is important to note that anywhere Council wishes to enforce parking restrictions, signs would still be required.

## **VOTING**

Absolute Majority

## **COMMITTEE COMMENT**

Cr Strzina spoke and advised that this parking issue had been addressed in the past, with consideration for side streets, resulting in the previous decision for resident only permit parking.

Cr Boland stated he understood the reasoning for the officer recommendation, but suggested that Council take a different approach and “go back to the drawing board”.

Cr Strzina stated that 70% of people indicated through the survey that they would like some form of parking restriction on Grant Street and that there is no point undertaking community consultation if Council ignore its findings. Councillor Strzina commented that many areas that experience high volume traffic, have implemented restricted parking and resident permits to resolve parking issues. Cr Strzina suggested that the recommendation be amended to include a provision for monitoring of side streets from commuter parking, hence an additional part (4) was introduced to the recommendation.

## **OFFICER RECOMMENDATION**

**Moved Cr Strzina, seconded Cr Rowell**

THAT Council:

1. By Absolute Majority, rescind the resolutions of the 23 May 2011, 22 August 2011 and 26 September 2011 meetings pertaining to parking on the Grant Street median strip;
2. Allow parking on the Grant Street median strip, designated by appropriate markings, on the portions of Grant Street;
  - a) Between Marmion Street and Marine Parade; and
  - b) Between Mann Street and Curtin Avenue.

3. Create a "Permit Parking Only" zone on that portion of the Grant Street median strip between Curtin Avenue and Marmion Street;
  - a) To apply between the hours 8am to 6pm Monday to Saturday
  - b) With adjacent residents being issued with permits as per the Parking and Parking Facilities Local Law 2009; and
  - c) Designated by appropriate signs.

#### **AMENDMENT**

##### **Moved Cr Strzina, seconded Cr Rowell**

That a new part (4) be added that states "request officers monitor the parking situation and review in six (6) months for potential impacts on side streets."

**Carried 2/1**

#### **COMMITTEE RECOMMENDATION**

##### **THAT Council:**

1. **By Absolute Majority, rescind the resolutions of the 23 May 2011, 22 August 2011 and 26 September 2011 meetings pertaining to parking on the Grant Street median strip;**
2. **Allow parking on the Grant Street median strip, designated by appropriate markings, on the portions of Grant Street;**
  - a) **Between Marmion Street and Marine Parade; and**
  - b) **Between Mann Street and Curtin Avenue.**
3. **Create a "Permit Parking Only" zone on that portion of the Grant Street median strip between Curtin Avenue and Marmion Street;**
  - a) **To apply between the hours 8am to 6pm Monday to Saturday**
  - b) **With adjacent residents being issued with permits as per the Parking and Parking Facilities Local Law 2009; and**
  - c) **Designated by appropriate signs.**
4. **Request officers monitor the parking situation and review in six (6) months for potential impacts on side streets.**

#### **AMENDED SUBSTANTIVE MOTION WAS PUT**

**Carried 2/1**

**11.2.2 SEAVIEW GOLF CLUB MANAGEMENT PLAN**

*Cr Strzina declared an impartiality interest in Item 11.2.2 due to being a member of the Golf Club and stated that there may be a perception that his impartiality on the matter may be affected and declared that he would consider the matter on its merits and vote accordingly.*

**File No:** SUB/235  
**Attachments:** [Seaview Management Plan](#)  
[Seaview Appendix A](#)  
[Letter to Department of Water re New Water Strategy](#)  
[Salinity data Town of Cottesloe Water Use](#)  
[Water Meter Reading Bore Usage](#)  
[Fertilizer spray use on Council areas](#)  
[Bore water use and salt content](#)

**Responsible Officer:** Carl Askew  
Chief Executive Officer

**Author:** Geoff Trigg  
Manager Engineering Services

**Proposed Meeting Date:** 25 October 2011

**Author Disclosure of Interest** Nil

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**SUMMARY**

The Seaview Golf Club has a 21 year lease from the Town of Cottesloe which expires on 30<sup>th</sup> June 2026. Under clause 13 of that lease, a Management Plan is required for the lease area, to be updated every 3 years. The updated plan has been supplied by the Club for the period January 2011 to December 2014. This matter was considered by Council at the February 2011 meeting, where further details were requested. The Golf Club responded with further information.

The recommendation for this item is that Council:

- 1) Receive the draft Seaview Golf Club Management Plan for the period 1<sup>st</sup> July 2011 to 30<sup>th</sup> June 2014.
- 2) In accordance with the Lease, advertise for a period of one month for public comment on the draft Management Plan, with the results to be considered by Council at its December 2011 meeting.

**BACKGROUND**

Council considered the Management Plan and the further information in May 2011 and resolved:

*That Council:*

- 1) *Note the draft content of the Seaview Golf Club Management Plan for the period 1 January 2011 to 31<sup>st</sup> December 2014.*
- 2) *Refer the matter back to administration for further comment and information on performance against KPI's (appendix A) compliance with the Management Plan in Appendix B and changes compared with previous management plans.*
- 3) *Request that the report include information on water usage from bores, salinity and herbicides and fertilizers for other Council reserves.*

The Seaview Golf Club has provided information regarding Appendix A, as per the Management Plan. Appendix B information has previously been provided. In addition, as per item 3 of Councils' resolution, information is provided (in the attachments) regarding Councils' bore water use, salinity, herbicide and fertilizer use, on Council reserves.

This matter was again considered by the Committee at its September meeting, with a resolution that Council:

- 1) Receive and endorse the content of the Seaview Golf Club Management Plan for the period 1<sup>st</sup> January 2011 to 31<sup>st</sup> December 2014.
- 2) Authorise the CEO to sign the Management Plan on behalf of Council.

This resolution was not adopted at the September 2011 Council meeting.

The purpose of the Management Plan is to record and communicate the Seaview Golf Club's safety and environmental policies and procedures with respect to the golf course and the reserves on which it resides.

The 21 year lease commenced in 2005, and the commencement or first Management Plan was accepted by Council in that year. This latest version is the third plan, each plan applying to a 3 year period.

The second three year plan, from 2008 to 2011, was provided by the club, inspected by staff and approved by Administration, with no period of public comment.

### **STRATEGIC IMPLICATIONS**

The Town of Cottesloe Future Plan 2006-2010 makes no comment in regards to the Seaview Golf Club.

### **POLICY IMPLICATIONS**

Nil

### **STATUTORY ENVIRONMENT**

The Town of Cottesloe and the Seaview Golf Club are the signatories to a legally drawn up 21 year lease document, of which approximately 15 years still applies. Any changes required by Council of the club, within a management plan, must comply with the conditions of the lease.

## **FINANCIAL IMPLICATIONS**

Nil

## **SUSTAINABILITY IMPLICATIONS**

The Management Plan has, amongst the Vision and Objectives of the Management Plan, an objective to maintain the reserve as a scenic and sustainable amenity for the local community.

### **1.2 VISION AND OBJECTS OF THE SEA VIEW GOLF CLUB**

*The vision of the SVGC is to continue to preserve the natural heritage of the reserves and golf course and to ensure the conservation and enhancement of the local environment whilst providing an affordable, high quality golfing experience to members and visitors for the benefit of current and future generations.*

*Consistent with the Club's constitution, the objects of the SVGC are as follows:*

- *To conduct a golf club and to provide a golf course, a clubhouse and associated facilities for the use of members and visitors.*
- *To promote, encourage and foster the playing of the game of golf and to provide all things incidental to the attainment of these objects.*
- *To promote, encourage and foster junior golf.*
- *To maintain the golf course as a focal point within the Town of Cottesloe.*
- *To maintain the reserves as a scenic and sustainable amenity for the local community.*

### **2.1.1 OBJECTIVES**

#### **SUSTAINABILITY**

*The Sea View course is a links course with predominantly native vegetation and consequently it is water efficient when compared with most other Perth metropolitan courses. The SVGC will continue to follow a sustainable and water-wise approach with respect to ground water management*

#### **AREAS UNDER IRRIGATION**

*Irrigation will continue to be limited to:*

- *teeing grounds and their surrounds,*
- *fairways and their surrounds,*
- *greens and their surrounds,*
- *those trees, bushes, shrubs and plants that require irrigation during dry months.*

*A maximum of 10 hectares of the 19 hectare site will be under irrigation at any point in time.*

#### **GROUND WATER USAGE**

*The objective of the SVGC is to use the minimum ground water necessary for the proper upkeep of a Grade A golf course whilst complying with Department of Environment licensing conditions.*

*The golf course is subject to inspection by the Western Australian Golf Association on a periodic basis.*

*Water usage is influenced on a daily basis by weather forecasts and weather conditions.*

### **GROUND WATER SALINITY**

*Bore water salinity levels vary seasonally and in the longer term are influenced by broader considerations such as climate change and policies governing community use. SVGC's objective is to fully cooperate with the Department of Environment and the Town of Cottesloe in monitoring salinity levels to facilitate identification of longer term trends in salinity.*

### **IRRIGATION TIMES**

*Watering will take place overnight when minimum evaporation of the applied water will occur. Daytime watering will take place on an exception basis under scenarios such as:*

- *A malfunction in the control systems (e.g. power surge) where overnight watering did not occur.*
- *An overnight power failure.*
- *The reseeded of a green or nursery.*
- *Newly laid turf.*
- *Hand watering of vulnerable native vegetation.*

### **ABSTRACTION VOLUMES AND RATES**

*The objective of the SVGC is to ensure that abstraction volumes and rates are sustainable at each individual bore.*

### **ABSTRACTION SPREAD OVER MULTIPLE BORES**

*SVGC will cooperate with the Department of Environment and the Town of Cottesloe in reviewing other possible bore locations as part of its contingency planning.*

*Additional bores at new locations will spread the abstraction over a larger section of the aquifer and will allow a reduction in abstraction rates and/or volumes at existing bores.*

### **CONSULTATION**

Substantial public consultation and community comment occurred during the period leading up to the creation of the 21 year lease and the first Management Plan. Recent investigation of the 21 year lease agreement has indicated that there is a requirement for a one month period of public comment prior to Council's consideration of new 3 year Management Plans each time a new plan is required as per clause 13.2.

### **STAFF COMMENT**

In regards to the May 2011 Council resolution item No 3, an amount of information is included in the attachments in regards to Councils' bore water use, salt readings on bore water, fertiliser and weedicide / pesticide usage. The most applicable document



is a copy of the submission to the Department of Water, providing water use details from the previous 5 years and requesting a new 5 year Groundwater Licence. The new licence has been approved. Council has kept its water use below the approved annual amount. The 3 bores with the highest salt levels have either been replaced or closed and water pumped from alternative bores. Fertiliser use is based on soil testing on two of the reticulated grassed areas.

The Seaview Golf Club and the Cottesloe Tennis Club have their own Department of Water Groundwater Licences and have to report, annually, their bore water use. The Tennis Club was removed from Councils' Groundwater Licence because of continuing over use of bore water, which had to be balanced by reducing water use on other Council reticulated areas.

The Management Plan document, for 3 years, between 1/1/2011 and 31/12/2014 for the Seaview Golf Club is the same document provided to Council in February 2011. As required, Appendix A details have been previously provided. The Management Plan required Appendix B details in August. These have been provided.

The 3 year Management Plan period (3 years), should apply to this document heading, hence July 2011 to June 2014 would be more appropriate.

In further researching the 21 year lease document, section 13.2 "Management Plan after the Initial Management Plan" states:

*"(a) Within 6 months before the expiry of each period of 3 years after the Date of Commencement, the Lessor and the Lessee must meet and agree a draft Management Plan for the management of the Golf Course with the intention that a new Management Plan will be complete, and will apply for the period of 3 years commencing on the day after the expiry of the 3 year period from the commencement of the immediately proceeding Management Plan.*

*(b) Once a draft of the Management Plan has been prepared and agreed in accordance with subclause (a), that draft must be made available for public comment for the period determined by the Lessor, being not less than 1 month after the draft of the Management Plan has been agreed as specified in subclause (a)."*

This required one month for public comment was not applied to the 2008-2011 version of the Plan due to administrative oversight. Therefore it is proposed for this draft 3 year plan.

Communication with the club in relation to the proposed change in timeframe for the next 3 year Management Plan will be undertaken in time for the next report to Council in December 2011.

## **VOTING**

Simple Majority

**COMMITTEE COMMENT**

Cr Boland advised that he had met with the CEO and the Manager Engineering Services and had reviewed the lease agreement the Town has with the Seaview Golf Club. Cr Boland advised that the lease requires each Management Plan to be advertised for public comment, and as such the officer recommendation reflects this requirement.

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Boland, seconded Cr Rowell**

**THAT Council:**

- 1. Receive the draft Seaview Golf Club Management Plan for the period 1st July 2011 to 30th June 2014.**
- 2. In accordance with the Lease, advertise for a period of one month for public comment on the draft Management Plan, with the results to be considered by Council at its December 2011 meeting.**

**Carried 3/0**

## 11.3 FINANCE

### 11.3.1 REVIEW OF PURCHASING POLICY

**File No:** POL/65  
**Attachments:** [DRAFT Policy Purchasing October 2011](#)  
**Responsible Officer:** Carl Askew  
**Chief Executive Officer**  
**Author:** Mat Humfrey  
**Manager Corporate Services**

**Proposed Meeting Date:** 25 October 2011  
**Author Disclosure of Interest** Nil

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#### SUMMARY

Council is being asked to consider a review of the Town's Purchasing Policy.

#### BACKGROUND

The Town has a comprehensive Policy Manual that guides Staff through the day to day decisions required in the administration of the Town. Policies outline Council's expectations and provide the basis on which certain decisions are delegated to staff.

The Purchasing Policy has been in place for some time. Staff reference the policy daily in the acquisition of goods and services on behalf of the Town. It has provisions for the acquiring of quotes, the records that should be retained for purchasing decisions and states the consideration officers should make when making a purchase.

The Town's first purchasing policy was adopted in 2003. It was reviewed in 2007 and is due to be reviewed again.

#### STRATEGIC IMPLICATIONS

Nil

#### POLICY IMPLICATIONS

If adopted, the reviewed Purchasing Policy will replace the current policy.

#### STATUTORY ENVIRONMENT

The Local Government Act 1995 and the associated regulations have provisions for the purchasing of goods.

#### FINANCIAL IMPLICATIONS

Nil

#### SUSTAINABILITY IMPLICATIONS

The Purchasing Policy requires that officers consider sustainability in purchasing decisions.

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**CONSULTATION**

Nil

**STAFF COMMENT**

The current purchasing policy has been quite successful in shaping the acquisition of goods and services. As such, the review only recommended several minor changes.

These changes include:

- The requirement for a written quote for goods over \$3,000 before a purchase order is issued
- A process for the very rare event that a Tender is inadvertently opened before the expiry of the Tender period
- Minor drafting and grammatical changes

The attached copy of the policy has tracked changes for the benefit of Councillors, these will be removed before it is published on the website.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Boland, seconded Cr Strzina**

**THAT Council adopt the reviewed Purchasing Policy and set the date for the next review as November 2015.**

**Carried 3/0**

**11.3.2 STATUTORY FINANCIAL REPORTS FOR THE PERIOD 1 JULY 2011 TO  
30 SEPTEMBER 2011**

**File No:** SUB/137  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Wayne Richards  
Finance Manager  
**Proposed Meeting Date:** 25 October 2011  
**Author Disclosure of Interest** Nil

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**SUMMARY**

The purpose of this report is to present to Council the Statement of Financial Activity the Operating Statements by Program and by Nature and Type, the Statement of Financial Position, and supporting financial information for the period 1<sup>st</sup> July 2011 to 30<sup>th</sup> September 2011 as included in the attached Financial Statements.

**BACKGROUND**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY ENVIRONMENT**

Financial reporting is a statutory requirement under the Local Government Act 1995.

**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation.

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**STAFF COMMENT**

The Statement of Financial Activity on page 1 of the Financial Statements shows favourable operating revenue of \$116,467. Operating expenditure is \$561,565 or 21% less than year to date budget, and of this, approximately \$448,583 relates to depreciation that has not been run on Council's assets as the 2011 Annual Financial Statements have not yet been signed off by Council's auditors. Other material variances are outlined on the Variance Analysis Report on pages 7 and 8 of the

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attached Financial Statements. Capital Expenditure is reported in detail on pages 24 to 28 of the attached Financial Statements. It is to be noted that within Property Construction, expenditure on Civic Centre Grounds Restoration is \$32,390 ahead of the year to date budget. This relates to increased work activity in order for Council to have certain works completed prior to event bookings in the Civic Centre Grounds.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Strzina, seconded Cr Rowell**

**THAT Council receive the Statement of Financial Activity, Operating Statements by Program and by Nature and Type, Statement of Financial Position, and other supporting financial information as included in the attached Financial Statements for the period 1 July 2011 to 30 September 2011, and as submitted to the 25 October 2011 meeting of the Works and Corporate Services Committee.**

**Carried 3/0**

**11.3.3 LIST OF ACCOUNTS PAID FOR THE MONTH OF SEPTEMBER 2011**

**File No:** SUB/137  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Wayne Richards  
Finance Manager  
**Proposed Meeting Date:** 25 October 2011  
**Author Disclosure of Interest** Nil

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**SUMMARY**

The purpose of this report is to present the list of accounts paid for the month of September 2011, as included in the attached Financial Statements, to Council.

**BACKGROUND**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY ENVIRONMENT**

Financial reporting is a statutory requirement under the Local Government Act 1995.

**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation.

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**STAFF COMMENT**

The list of accounts paid in September 2011 is included in the report on pages 9 to 17 of the attached Financial Statements. The following significant payments are brought to Council's attention;

- \$11,262.66 to BCITF for monthly fees collected on their behalf.
  - \$30,486.22 & \$15,357.97 to WA Local Government Superannuation for staff superannuation contributions.
  - \$13,890.25 to Synergy for street lighting charges throughout Cottesloe.
  - \$20,617.46 to Cobblestone Concrete for footpath installation at a shared path near Montessori School.
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- \$39,389.46 to the Australian Taxation Office for the September 2011 Business Activity Statement.
- \$327,449.70 to FESA WA for the first quarter of 2011-12 Emergency Services levies collected by Council.
- \$11,550.00 to Encapsulate Ltd for the annual licence fees relating to Council's agenda writing software.
- \$224,801.73 to WA Treasury Corporation for a loan repayment on loan number 107.
- \$10,560.00 to GHD Pty Ltd for work on a combined depot site.
- \$14,751.21 & \$15,054.69 to WMRC for waste disposal fees.
- \$150,149.50 to the Shire of Peppermint Grove for the quarterly contribution towards the Library service.
- \$36,275.30 to Subaru Osborne Park for a new passenger vehicle.
- \$35,046.40 to Subaru Wangara for a new passenger vehicle.
- \$27,471.13 to TAPSS being Cottesloe's half yearly contribution.
- \$12,407.54 to Ocean IT for the monthly IT support.
- \$230,000, \$280,000, \$175,000, \$110,000 & \$60,000 to Cottesloe's Investment account held with National Australia Bank.
- \$475,000.00 & \$485,000.00 to Westpac Banking Corporation to establish new term deposits.
- \$480,000.00 to National Australia Bank to establish a new term deposit.
- \$465,000.00 & \$350,000.00 to the Commonwealth Bank of Australia to establish new term deposits.
- \$82,737.94 & \$74,217.08 to Town of Cottesloe staff for fortnightly payroll.

## **VOTING**

Simple Majority

## **OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Strzina, seconded Cr Boland**

**THAT Council receive the List of accounts Paid for the Month of September 2011 as included in the attached Financial Statements, as submitted to the 25 October 2011 meeting of the Works and Corporate Services Committee.**

**Carried 3/0**



**11.3.4 SCHEDULE OF INVESTMENTS AND LOANS AS AT 30 SEPTEMBER 2011**

**File No:** SUB/150 & SUB/151  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Wayne Richards  
Finance Manager  
**Proposed Meeting Date:** 25 October 2011  
**Author Disclosure of Interest** Nil

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**SUMMARY**

The purpose of this report is to present the Schedule of Investments and the Schedule of Loans as at 30 September 2011, as included in the attached Financial Statements, to Council.

**BACKGROUND**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY ENVIRONMENT**

Financial reporting is a statutory requirement under the Local government Act 1995.

**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation.

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**STAFF COMMENT**

The Schedule of Investments on page 20 of the attached Financial Statements shows that \$4,852,167.01 was invested as at 30 September 2011. Approximately 30% of the funds are invested with the Commonwealth Bank of Australia, 29% with Westpac Bank, 25% with the National Australia Bank and 16% with Bankwest.

The Schedule of Loans on page 21 of the attached Financial Statements shows a balance of \$6,458,397.92 as at 30 September 2011. Included in this balance is \$421,433.90 that relates to self supporting loans.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Strzina, seconded Cr Boland**

**THAT Council receive the Schedule of Investments and the Schedule of Loans as at 30 September 2011. These schedules are included in the attached Financial Statements as submitted to 25 October 2011 meeting of the Works and Corporate Services Committee.**

**Carried 3/0**

**11.3.5 PROPERTY AND SUNDRY DEBTORS REPORT AS AT 30 SEPTEMBER 2011**

**File No:** SUB/145  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Wayne Richards  
Finance Manager  
  
**Proposed Meeting Date:** 25 October 2011  
**Author Disclosure of Interest** Nil

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**SUMMARY**

The purpose of this report is to present the Property and Sundry Debtors Reports as at 30 September 2011, as included in the attached Financial Statements, to Council.

**BACKGROUND**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY ENVIRONMENT**

Financial reporting is a statutory requirement under the Local Government Act 1995.

**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation.

**SUSTAINABILITY IMPLICATIONS**

Nil

**CONSULTATION**

Nil

**STAFF COMMENT**

The Sundry Debtors Report on page 22 of the attached Financial Statements shows a balance of \$97,302.52, of which \$71,348.36 relates to the current month. The balance of aged debtors stood at \$25,954.16.

Property Debtors are shown in the Rates and Charges Analysis on page 23 of the attached Financial Statements and shows a balance of \$3,088,158.70. Of this amount \$200,392.19 and \$453,624.52 are deferred rates and outstanding emergency

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services levies respectively. As can be seen on the Statement of Financial position on pages 4 and 5 of the attached Financial Statements, rates as a current asset are \$3,389,519 as at 30 September 2011 as compared to \$3,116,518 this time last year.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Strzina, seconded Cr Boland**

**THAT Council receive the Property and Sundry Debtors Reports as at 30 September 2011, as included in the attached Financial Statements, at the meeting of the Works and Corporate Services Committee on 25 October 2011.**

**Carried 3/0**

**11.3.6 WORKS AND CORPORATE SERVICES COMMITTEE – COUNCILLOR MEMBERSHIP**

The CEO informed the Committee that Cr Walsh had indicated an intention to resign from the Works and Corporate Services Committee and asked Councillors to consider a motion to rescind Council's decision to appoint him as a member of the Works and Corporate Services Committee.

**COMMITTEE RECOMMENDATION**

**Moved Cr Strzina, seconded Cr Rowell**

**THAT Council, in accordance with Standing Orders Clause 16.20, rescind its decision of 17 October 2011 to appoint Cr Walsh as a member of the Works and Corporate Services Committee.**

**Carried 2/1**

**12 ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**13 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY ELECTED MEMBERS/OFFICERS BY DECISION OF MEETING****13.1 EAST WARD ELECTION**

Cr Boland raised the issue of Corporate Governance with respect to the recent election in the East Ward.

Cr Boland requested that the CEO prepare an advice note for the next Council meeting to update Councillors.

**13.2 WORKS AND CORPORATE SERVICES COMMITTEE – COUNCILLOR MEMBERSHIP**

The CEO informed the Committee that Cr Walsh had indicated an intention to resign from the Works and Corporate Services Committee and asked Councillors to consider a motion to rescind Council's decision to appoint him as a member of the Works and Corporate Services Committee.

**COMMITTEE RECOMMENDATION**

**Moved Cr Strzina, seconded Cr Rowell**

**THAT Council, in accordance with Standing Orders Clause 16.20, rescind its decision of 17 October 2011 to appoint Cr Walsh as a member of the Works and Corporate Services Committee.**

**Carried 2/1**

**14 MEETING CLOSURE**

The Presiding Member announced the closure of the meeting at 7.45PM.

*CONFIRMED: PRESIDING MEMBER \_\_\_\_\_ DATE: / /*